G. R. S. 59]

GENERAL AND REVENUE SECRETARIAT.

1908
(Cheyyai)

File No. 328 – 08

Serial Nos. 167

Papers Filed.

Month April 1909

SUBJECT

Institution of suits in the Courts of the Tinnevelly on behalf of the Sivagiri Vijayaranga Swami estate.

PREVIOUS REFERENCES

LATER REFERENCES

M. Muthaswamy
Recorder

G.R S.11] 1908–09

GENERAL AND REVENUE SECRETARIAT

(Mysore)

NOTES.

File No. 328–08

File Heading

Institution of suits for recovery of properties belonging to the Sri Vyasarayaswami Matt, which are in the possession of private persons

From

The Government Advocate at Mysore

No 204 Dated 11 / 09 Received 11 / 09

Diary No. 629	Enclos	Spare Copies	Serial No. 5

Brief Abstract of Letter.

States that the several allegations to be made and the reliefs prayed for in the plaints are to be determined by the Advocate or Counsel engaged to conduct the cases after a careful consideration of all the facts relating to them, the evidence available and the law bearing on the point, and that the responsibility of giving a proper shape to the cases must rest on the Advocate concerned and the person giving him instructions

NOTES AND ORDERS.

Fol 1 & 2 The Govt. Agent of the Sri Vyasarayaswami Matt submitted Reports nos 21, and (23 and 24) dated 20th, 20th Oct ~~and 2nd Nov.~~ 1908, respectively, submitting 2 (two) plaints for the suits, one to be filed against Venkataramanachar and four others for recovery of possession of certain manyam

Notes—First sheet

GPB—30,000—3 1 07

G. R. S. 12]
General and Revenue
Secretariat.

File No. 328 of 1908

Serial No.

and Inam lands belonging to the Sri Vyasarayaswami Matt in Tinnevelly and Sivaikuntam Taluks of the Tinnevelly District, & the other to be filed against Krishnaphan to recover Rs of Rs 565 payable by him to the matt on account of the arrears of rent due on Kakabal village, Hospet Taluk, Bellary Dt. He further reported in his No 27, dated 2nd Nov 1908, that the last named Krishnaphan owned lands in Tumkur the Taluk and a house in Tumkur town the costs of the 1st suit are estimated at Rs 200/- exclusive of Pleader's fees, and those of the 2nd at Rs 120/- inclusive of the P fee. These draft plaints having been forwarded to the Govt Advocate, for opinion, he has furnished the same under cover of the letter under disposal.

Under Secretary's orders

Put up drafts sanctioning the institution of suits.

Submd with drafts.

5/12/08 The Govt Advocate says that his responsibility of giving a proper advice in a case should not be limited by Govt Pleader's instructions. The Govt Pleader has consulted High Court Vakils and submitted the plaints drafts sanctioning the institution of the suits submitted to Government

Advocate

9 2 Conv

P.T.O

NOTE—Contn. sheet.

GPB—50,000—13 5 08

Serial No.

Land Acquisition Act 1894 suit for the Zamindary and Inamdari lands and Mesne profits kept back in deposit with the idea of working into the opinion of the Vakil. No opinion in writing appears to have been furnished.

agent?

Mesne profits has not mentioned.

519 Submitted to Secretariat

Approved

22/4/09

168)

7

Approved

27/4/9

28.4.09

6 Off memo No 1779 of 30.4.09

Sanctions the institution of the suit in respect of the lands referred to in Sl 1, and directs the Agent to take the necessary steps in the matter &c—

7 Off memo No 1780 of 30.4.09

Sanctions the institution of the suit in respect of the amount referred to in Sl 2 &c—

NOTE—Contn. sheet.

GPB—50,000—13.5.08

MYSORE MUZRAI DEPARTMENT.

2328-8-1

195
25.10.08

OFFICE OF THE MYSORE GOVERNMENT AGENT
FOR SRI VYASARAYASWAMI MATT

No. 21
Encls 2

DATED Camp Kakabal 20th Oct 1908.

Refer
CR. Mar
Q
27/10/08
W

To

THE SECRETARY
TO THE GOVERNMENT OF H. H THE MAHARAJA OF MYSORE
General and Revenue
~~IN THE MUZRAI~~ DEPARTMENTS
Mysore Branch
BAGNALORE.

Obtain fresh Abstract
Q.
27-12-1908

Report submitted by M. Raghavendra Rao, the Mysore Government Agent for Sri Vyasarayaswami Matt.

Reference :—

Subject :— Re: filing a suit in the District Munsiff Court at Tumakuru for recovery of possession of certain Manyam and Inam lands in the Tumakuru and Sirivaikuntam Taluks Tumakuru District

Sir,

I respectfully beg to report that the Government in their order no 1426 dated 12th Sept 1907 sanctioned the filing of a suit against Rama Iyer for the recovery of possession of 32 cents of Inam land in Survey no 160 at Keelputtaneri village. It has been subsequently discovered that this land has formed a part of the Matt —

property held by the late Venkataramanachar on lease from the Matt.

2 By far the greater portion of the above lease property has been recovered from the hands of the Lessee and separately leased out to other persons as reported in correspondence ending with Govt order No 6241 dated 27th March 1908. But the wet lands known as Madhwakula manigam at Keelakandasapuram in Sri-Andipundarai village, Tirunelly Taluk measuring 177 acres 6a, not been surrendered by the Lessee and cultivator holding lands under him. A suit has therefore to be filed for the recovery of possession of this manigam.

3 Mr R Rama Rao B A B L. Pleader at Tirunelly Bridge proposes to file a single suit for both the above causes of action in the District Munsiff's Court at Tirunelly on the ground that both the lands formed part of the property leased to the late Venkataramanachar by the Matt even though they are situated in the jurisdiction of different District Munsiffs Courts. The draft plaint drawn up by the Pleader in Tamil is herewith submitted with an English translation thereof for favor of approval and

return

4 Pleader Mr R. Rama Rao estimates the cost of conducting the suit to be about Rs 200 besides the Pleader's fees.

5 I respectfully request that you will be pleased to accord early sanction for filing the above suit.

I beg to remain,
Sir;
your most obedient servant
M. Raghavendrachar

Mysore Government Agent
Sir Krishnaraja Wadiyar Hall

4

MYSORE MUZRAI DEPARTMENT.

OFFICE OF THE MYSORE GOVERNMENT AGENT
FOR SRI VYASARAYASWAMI MATT.

No. 23
Encls 3

DATED Camp Kakabal 20th Oct 1908.

Refer
CM Mar
3
27/10/08
by

194
28.10.08

Inwd F 32 -08-2

To

THE SECRETARY
TO THE GOVERNMENT OF H. H. THE MAHARAJA OF MYSORE
General and Revenue
~~IN THE MUZRAI DEPARTMENT~~
Muzrai Branch
BANGALORE.

Report submitted by M. Raghavendra Rao, the Mysore Government Agent for Sri Vyasarayaswami Matt.

Reference :—

Subject :— Filing a suit against Mallam Krishnachar of Tumkur for Rs 565 due on a/c of arrears of rent of Kakabal Shivotham village in Hospet Taluk Bellary District

Sir,

As directed in para 11 of the Proceedings of Government No. 5595-7 dated 15th June 1908 I respectfully beg to submit herewith a copy of plaint in Telgu drafted by Mr. H Ramma Krishna Rao B.A. B.L High Court Vakeel at — Bellary for the recovery of Rs 565 payable to the matt by Krishnachar of Tumkur on — account of arrears of rent of Kakabal village. The Vakeel estimates the cost of suit-

5

at Rs 120 (vide copy of list of costs) I also submit herewith a copy of Krishnachar's Kanarese letter dated 16th January 1901 — refusing to render accounts to me which gives cause of action to the suit.

2 There will be no use of obtaining a decree against Krishnachar if there is no property to him. To make myself sure on this point I have written confidentially to Mr. Ball Amildar of Tumkur to ascertain and let me know whether Krishnachar has any property of his own in Tumkur Taluk. His reply on receipt will be submitted. In the mean time to avoid delay the plaint may be looked into and orders passed thereon as to any addition or alteration therein is necessary. (to proceed against in execution of the decree.)

I beg to remain,
Sir,
your most obedient Servant
M. Rishanendra Rao
Mysore Government Agent
Sri Vyasarayaswami Mutt

MYSORE MUZRAI DEPARTMENT.

OFFICE OF THE MYSORE GOVERNMENT AGENT
FOR SRI VYASARAYASWAMI MATT.

No. 27

DATED Camp Mysore 2nd November 1908.

To

THE SECRETARY
TO THE GOVERNMENT OF H. H. THE MAHARAJA OF MYSORE
~~IN THE MUZRAI~~ General and Revenue DEPARTMENTS
Muzrai Branch
BANGALORE.

Report submitted by M. Raghavendra Rao, the Mysore Government Agent for Sri Vyasarayaswami Matt.

Reference :—

Subject :—

Sir,

In continuation of my ~~or~~ No. 20 dated 20th October 1908 I respectfully beg to submit herewith a copy of letter dated 27th October 1908 received from the Amildar of Tumkur Taluk Shabanna - that Nallam Krishnacharlu son of Venkannachar possess Lands in Hegere, Thimmalapura Ramanahura and one House in Tumkur Town.

I beg to remain,
Sir,
Your most obedient Servant.
M. Raghavendra Rao
Mysore Government Agent

Tumkur

Dated 27.10.08

Sir,

On enquiry I learn that Karishnachar & Son of Mallam Venkannachar possess lands in Heggere, Hunnalapura, Rangapura — and one house in Tumkur Town

Yours Sincerely

(Sd) T Ball

Amildar

To

M. Raghavendra Rao Esq.

Bangalore

"True copy"

M. Raghavendrarao

Mysore Govt Agent

Sri Vyasaraya swami mall

G.R.S. 26]

File No. 328-08,8
Serial No 23

Diary No. of letter replied to 195
28-10-08

No. 411 Encore
5-1-09.

General and Rev. Secretariat
Inugral Branch
(VII)
Bangalore, the Dec 2 1908.

To

The Government Advocate
in Mysore
Bangalore

Date of issue - -

Signed by - - - -

Sir,

~~I am directed by~~
~~I have the honour to~~ by order
for favor of expression of opinion
We have the honour to forward herewith Report No
21 & 20 October 1908 received
from the Govt Agent of the
Sri Vyasaraya Swami Math
submitting for approval
in Tamil ~~& English~~ proposed
a draft Plaint to be filed
in the Sixth Munsiff Court at
Timmaly against Venkata
ramachar & four others
for recovery of possession
of certain Inamgrama & Inam
lands belonging to the Sri

over.

× (with English translation)

SUBJECT.

Vykaraiyáraṅi Mett
in Tirunelveli Srivaikun-
tam Taluk, of the Tirunelveli Dt
and I request that you will be
so good as to favour me with the

Thereto

3.7.12/Mr

Musiri Subramania

28.12.08

List of enclosures.

Copied by

Examined by

MGCPE—20,000-13-12—04

10 1

G.R.S. 26]

File No. 328-08

Serial No. 84

Diary No. of letter replied to ~~247~~ 194
28/10/08
and 247

No. 412 Enc Two
5-1-09

General and Rev. Secretariat
Inc Gen Br.
(VII)
Bangalore, *the* Dec 2 1908.

To

The Government Advocate
in Mysore
Bangalore

Date of issue —

Signed by ——————

Sir,

I have the honor
~~I am directed~~ to forward
herewith for favor of
an Expression of opinion
your
report Nos 23 and 278 20 Oct
from the Govt Agent of the Sri Kalahasteeswara Zamin
& 2nd Nov 1908 respectively
enclosing
a plaint in Telugu drafted
by Rao H. Timma Krishna Rao
B.A.B.L, High Court Vakil
of Bellary Bar for recovery
of Rs 565 payable to the Sri
Vyasaraja Swami Matt by
Krishna Chetty of Tumkur
on a/c of arrears of rent due
from Kattabal village Hospet
Taluk, Bellary Dt.

Thanks
5/12/08
Nuzvid Superintt
Ld 2 Nov 08

SUBJECT.

List of enclosures,

Copied by

Examined by

MGCPB—20,000-19-12—04

No. 204.
Encl: 3.

11

Office of the Government Advocate in Mysore.

Bangalore dated, 11th January 1909.

No. 871
15-1-09

D 629

From,

The Government Advocate, Mysore,
Bangalore.

To,

The Mudrai Stock[illegible]

[illegible]

Sir,

[illegible] with your letters [illegible] and [illegible] I have the honour to state that [illegible] and the reliefs to [illegible] determined by the ejectment Courts, [illegible] cases, after a careful consideration of [illegible] to them, the evidence [illegible] law bearing on the point. The [illegible] proper shape to the cases [illegible] and the person giving his instructions [illegible] other course will lead to their [illegible] mismanagement of the whole affairs, [illegible] more cumbrous machinery. I [illegible] the whole matter be left to the [illegible] the careful and business like conduct [illegible]

I have the [illegible]

Sir,

Your [illegible]

S. Narayana Rao
Government Advocate.

draft as per orders

12

Off. memorandum.

No. 1779 Ex

Mis F 328-08-6

D/ 30/4/09

Report no 21, dated 20th October 1908, from the Govt Agent, Srivaikuntam Vyasarayaswami matt, stating that a suit has to be filed against Venkataramana Char, former lessee of the lands belonging to the matt in the Tinnevelly Dt, for the recovery of certain lands in the Tinnevelly Taluk not surrendered by him, and soliciting under Govt orders sanction for the institution of a single suit in the Dt munsiff's Court at Tinnevelly in respect of these lands as well as of those in the Srivaikuntam Taluk, regarding whose recovery, the institution of a suit against Ramiah had been sanctioned in Govt Order no. 1426, dated 12th September 1907, on the ground that both the above mentioned lands formed

part of the property once leased out to the said Venkatesamanaffar, of whom Ramaiah is now discovered to be only a tenant.

Under the circs reported, the Govt are pleased to sanction the institution of a suit in respect of the recovery of both the lands in question. The Govt Agent will take the necessary action forthwith and report the result to this Office in due course.

2. As regards the draft plaint submitted for approval, it is observed that the several allegations to be made, and the reliefs to be prayed for, in the plaint are to be determined by the Vakil ~~Advocate or Counsel~~ engaged to conduct the case, after a careful consideration of all the facts relating to it, the evidence available in support thereof and the law bearing on the point. The responsibility of giving a proper shape to the case ~~should~~

14
Vakil

Therefore ~~rest~~ left with the ~~Advocate~~
concerned and the Govt Agent
giving him instructions. The
draft plaint submitted is
therefore returned herewith.

By order,

By
9/2/1909
22/4/1909
for Secretary
to Govt

Draft as per orders

2 Dfts 15

Off memorandum

No 1780 D/30/4/09
Mag F 328-08-7
Enl

Reports nos 23 and 27, dated 20th Octr and 2nd Novr 1908, from the Govt Agent, Sri Vyasarayaswami Matt, reporting that Krishnaphan of Tumkur, refuses to render accounts for the arrears of rent due by him from the Kakabal village, Hospet Taluk, Bellary District, belonging to the Matt, and that therefore a suit has to be instituted for the recovery of the arrears and also submitting a draft plaint in the case

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Under the circs reported, the Govt are pleased to sanction the filing of the suit. The Govt Agent is directed to take the necessary steps in the matter and report the result to this Office in due course.

2 The Govt Agent's attn is drawn to the concluding portion of this Office memorandum dated

Here enter the Head of the order Re Transfer.

16

wherein it has been observed ~~to be directed~~ that the fixing of
a shape to the case is determined
by the ~~Advocate~~ Vakil Counsel engaged
to conduct the case on the instructions
to be given thereto by his Govt. Agent.
The draft plaint sub'd is acc.d to
returned herewith.

By order,

G.
9/2/[illegible]
[illegible]
for Secretary
to Govt

MYSORE MUZRAI DEPARTMENT.

No. 1336
8-4-09

OFFICE OF THE MYSORE GOVERNMENT AGENT
FOR SRI VYASARAYASWAMI MATT.

No. 70 DATED, Camp Madura, 25th March 1909.

To

THE ~~SECRETARY~~ Muzrai Superintendent
~~OF THE GOVERNMENT OF~~ MYSORE
~~BANGALORE~~
BAGNALORE.

Report submitted by M. Raghavendra Rao, the Mysore Government Agent for Sri Vyasarayaswami Matt.

Reference :— My report No 21 dated 20th October 08

Subject :— Re filing a suit in the District Munsiff Court at Tirumanly for recovery of possession of certain Inamjum and Inam lands in the Tirumanly and Srivaikuntam Taluks, Tirumanly District.

Sir,

I respectfully request that you will be so kind as to favor me with early orders on the matter above referred to.

I beg to remain
Sir
Your most obedt servant
M. Raghavendra Rao
Mysore Govt Agent
Sri Vyasaraja Swami Matt

MYSORE MUZRAI DEPARTMENT.

No. 1337/09
8.4.09

No. 69

OFFICE OF THE MYSORE GOVERNMENT AGENT
FOR SRI VYASARAYASWAMI MATT

DATED, Camp Madura, 25th March 1909.

To

THE ~~SECRETARY~~ Muzrai Superintendent
in
~~THE DEPARTMENT STOP DOWN AND DEPT~~ MYSORE
~~OFFICE WORK DEPARTMENT~~
BANGALORE.

Report submitted by M. Raghavendra Rao, the Mysore Government Agent for Sri Vyasarayaswami Matt.

Reference :— My letter No. 23 dated 20th October 1909

Subject :— Filing a suit against Mattam Krishnachar for Rs. 565 due on account of arrears of rent of Hallebal Shrotriam village in Hospet Taluk, Bellary District.

Sir,

I perfectly request that you will be so kind as to favor me with early orders on the matter above referred to.

I beg to remain
Sir
Your most obedient Servant
M. Raghavendrarao
Mysore Government Agent
Sri Vyasaraya Swami Matt